

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

TAFT BURTTON,

Defendant.

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CASE NO. 8:08CR7

ORDER

This matter is before the Court on the Defendant's motion for leave to supplement his motion filed under 28 U.S.C. § 2255 (Filing No. 125).

On April 22, 2011, the Court completed its initial review of the Defendant's § 2255 motion and scheduled briefing in this matter. On June 2, 2011, the government filed its answer to the Defendant's § 2255 motion. On July 6, 2011, the Defendant's reply brief was due. A reply brief was not filed. However, on June 27, 2011, the Defendant filed a motion for leave to supplement his § 2255 motion with an affidavit that Burton claims was initially received, but not filed, by the Court. The Defendant has not explained why he waited two months after the Court's initial review to raise this matter. The motion is denied.

IT IS ORDERED:

1. The Defendant's motion for leave to supplement his motion (Filing No. 125) is denied; and
2. The Clerk is directed to mail a copy of this order to the Defendant at his last known address.

DATED this 28th day of July, 2011.

BY THE COURT:

s/Laurie Smith Camp
United States District Judge